

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

**BP PRODUCTS NORTH AMERICA, INC.,**

**Plaintiff,**

**v.**

**HILLSIDE SERVICE, INC., *et al.*,**

**Defendants.**

**Civ. Nos. 9-4210, 9-5143**

**ORDER**

**ALBOYACIAN, *et al.*,**

**Plaintiffs,**

**v.**

**BP PRODUCTS NORTH AMERICA, INC.,**

**Defendant.**

**HON. WILLIAM J. MARTINI**

**THIS MATTER** having come before the Court on motions for summary judgment filed in both of the above-captioned cases; for the reasons set forth in this Court's accompanying Opinion; and good cause appearing;

**IT IS** on this 14th day of September 2011, hereby,

**ORDERED** that Defendants' motion for summary judgment in Civil Action Number 9-4210 is **GRANTED**; and it is further

**ORDERED** that Plaintiff's motion for summary judgment in Civil Action Number 9-4210 is **DENIED**; and it is further

**ORDERED** that Plaintiffs' motion for partial summary judgment in Civil Action Number 9-5143 is **GRANTED**; and it is further

**ORDERED** that Defendant's motion for summary judgment in Civil Action Number 9-5143 is **DENIED**; and it is further

**ORDERED** and **DECLARED** that BP Products North America, Inc.'s ("BP") announced non-renewal of the Commission Marketer's Agreements would constitute a violation of the New Jersey Franchise Practices Act for which BP would be obligated to pay compensation in accordance with applicable law; and it is further

**ORDERED** that Civil Action Number 9-4210 is dismissed with prejudice.

/s/ William J. Martini  
**WILLIAM J. MARTINI, U.S.D.J.**